

Minutes of the Regular Meeting of the Board of Trustees of the University of Kentucky, December 17, 1935.

The Board of Trustees of the University of Kentucky met in President McVey's office at the University December 17, 1935, at 10:30 a.m. in continuation of the meeting of December 10, 1935. The members of the Board present were Governor A. B. Chandler, chairman; James Park, John S. Cooper, Louis Hillenmeyer, R. Miller Holland, Dr. George Wilson, James Rash, O. C. Whitfield, J. B. Andrews, Eugene Flowers, Robert G. Gordon and G. C. Wells. Governor Chandler was welcomed by the members of the Board and President McVey, this being his first meeting.

1. Minutes Approved.

The minutes of the following meetings were approved as published: Regular Meeting of the Board of Trustees, May 30, 1935; Executive Committee, June 27, 1935; Executive Committee, July 18, 1935; Regular meeting of the Board of Trustees, September 24, 1935; Executive Committee, October 31, 1935; Called Meeting of the Board of Trustees, November 15, 1935.

The minutes of the Called Meeting of the Board of Trustees of December 7, 1935, were approved as published with the following correction: insert in the form of bond Section 7, beginning on page 42, at the end of first paragraph on page 43 the following: This bond shall be callable at par plus accrued interest, at the pleasure of the Board of Trustees of the University of Kentucky, on any regular interest date.

2. President's Report.

The President made his regular quarterly report which was ordered to be recorded in the Minutes. The report is in words and figures as follows:

QUARTERLY REPORT OF THE PRESIDENT

In presenting my report for the second quarter of this fiscal year I can only bring to the attention of the board a few matters of more than usual importance, due to the lack of time to give consideration to them.

First, I shall speak of the attendance at the University this year. On October 15 the Registrar reported 3169 students registered. This was the highest attendance that has been reached by the University in its history with the exception of that of the year 1930-31, when the attendance was 3249. During the depression the attendance went down to 2488 in 1933-34. Since then the attendance has been increasing at the rate of 15% a year, until now it has reached the figure just referred to. The total which I gave does not include the students that came to the summer session or the training school. If the students who attended the

summer session excluding duplicates, and those in the training school and enrolled in University Extension were included, the figure would reach 5954 for last year.

The University of Kentucky balanced its budget for the year 1934-35, and so far this year, it has paid its bills and salary obligations. It is, however, with some uneasiness that I look forward to the next six months of the year, though appropriations have been made for the support of the University for that period. I have, however, confidence in the good sense of the legislature and administrative officers to carry on in such a way that the obligations of the State can be met and taken care of.

For some time efforts have been made to secure funds from the Federal Government for the erection of buildings on the University campus. Various difficulties arose in one way or another and nothing was done until within the last year. Then an application was made for a grant and loan of funds, in the sum of \$1,100,000, with which to erect buildings. This application was approved by the Board of Trustees. Through the agency of Dean James H. Graham and the State Director of the Works Progress Administration the plans and papers were put in good form and received final approval at Washington. It appears, however, that Kentucky funds were reduced to one-third of the amount applied for, the University receiving a grant of \$165,000 and a loan of \$201,000. Since then an additional loan of \$400,000 with interest at 4% has been granted to the University.

At this meeting of the Board of Trustees the minutes of the previous meeting are to be acted upon. These minutes include all the necessary legal statements, authority and power required for the issuance of the necessary bonds under the provisions of the loan. In addition it may be said that a loan and grant were authorized for the construction of an addition to the Experiment Station. The funds for this construction were arranged for and the University is to issue bonds in the neighborhood of \$50,000 for the construction of an addition that will cost about \$90,000. All of these bonds are based on interest of 4%. The construction of these buildings should go forward in the near future. Some progress has already been made upon the heating plant.

Application is also made for funds to undertake grading, the building of walks, minor repairs and the like on the University campus. The officers of the local W. P. A. were able to have allocated \$90,000 for work at the University. Some of this work has been done, but unfortunately, in order to carry on the enterprises of a larger character, there is required an expenditure of funds for the purchase of materials. The government is quite generous in the matter, but we find it is necessary to spend a considerable sum of money in order to secure the allocation of funds. There will be presented at this meeting three WPA projects aggregating in the neighborhood of \$60,000, which can be carried through with an expenditure of \$8,000-\$9,000. I have hesitancy in asking that these projects be carried out in full, for I do not know that this amount will be available. However,

the Superintendent of Buildings and Grounds, M. J. Crutcher, declares that the government wants the work to go on, and that the University may stop at any point it finds it impossible to provide the necessary funds.

At the legislative session which opens in January the University will present its requests for support and maintenance for the biennium. Under the law it is required to do this in advance of the meeting and so the University's requests were formulated and forwarded to the secretary of the Board of Finance and Budgetary Control for its consideration. This was done on November 7, 1935.

The University of Kentucky is asking for general support and maintenance \$817,606.00. It is also asking for \$30,000 annually for repairs, \$10,000 for the summer session, \$30,000 for agricultural instruction, \$56,000 for the payment of amortization charges upon the loan made by the Federal Government, and \$12,000 for additional equipment; a total of \$955,606 for the general teaching activities of the University. Two years ago the legislature appropriated \$679,000 for general maintenance and support, \$9,000 for repairs, \$9,000 for the Summer School, \$25,500 for agricultural instruction, \$71,900 for the payment of back salaries, a total of \$794,400. In consequence, the University is asking for an increase of \$158,500 over what it received two years ago. The justification for such an additional request is to be found in the fact that the attendance of the University has increased, that repairs have been allowed to go, and that there will be an additional amortization charge which arises out of the erection of new buildings.

In this connection it may be said that during the history of the University the legislature has appropriated \$1,200,000 for buildings, or about one-half the amount appropriated to one of the new normal schools. This does not mean that the University does not have a larger investment in buildings and equipment, but it does mean that the University has fostered its means and has never asked the legislature to appropriate money for stadia, gymnasiums and swimming pools. It may also be said that the policy of the State represented in the action of the legislature in the past twenty years has been on the basis of an amount equal to that appropriated to the State teachers' colleges. In 1918 the legislative appropriation of the University was 1 and 6/8 cents of the general property tax; that of Western was 5/8 of a cent and Eastern 5/8 of a cent. In 1924 the legislature of that year gave the University one-fourth of the inheritance tax, and one-fourth to the two then existing teachers' colleges. In 1928 the entire inheritance tax was given over to the institutions of higher education, and the University then received 50% of the inheritance tax, and 6.7% of the ad valorem tax; Western received 25% of the inheritance tax and 2 and 19/30 of the ad valorem tax; Eastern 12½% of the inheritance tax and 2 and 1/3 per cent of the ad valorem tax; Morehead 6½% of the inheritance tax, and 2% of the ad valorem tax; and Murray the same. Since then there has been some departure from this ratio with increasing amounts given to the

state teachers' colleges, and a smaller percentage to the University. It would appear, therefore, that the situation is rather difficult and that we are now reaching a point where the teachers' colleges are developing into institutions of much larger purposes than was originally intended, and it must be decided if the University is to be developed as was the intention, and the teachers' colleges continued for the purposes set up in the law.

The legislative requests made by the Experiment Station include the amount long appropriated for the maintenance of the Station, namely \$50,000, and \$25,000 for the Public Service laboratories. The two substations at Princeton and Quicksand are asking for \$20,000 each, an increase of \$5,000 over last session, but a decrease of \$5,000 over previous sessions. For nursery inspection \$2,500 is asked; this sum was authorized by the last session.

The third division of University work is operated jointly by the State and the Federal Government. The amount which the State receives from the Federal Government is based upon our rural population in proportion to that of the whole United States. In order to offset the funds of the Smith-Lever and Capper-Ketcham acts it will be necessary for the State to appropriate \$155,109.74. The sum appropriated by the last legislature was \$120,000.

The Morrill Act provided endowment for educational instruction in institutions known as Land Grant Colleges. Kentucky received 330,000 scrip acres for its land grant college. This land scrip was sold by the State for \$165,000. This money taken by the State became a perpetual debt to the State College, and later to the University. The interest on this amount was paid regularly for seventy years, until June, 1935, when payment was refused on the ground that the State had no bonds to show for the debt. Later the Attorney General's office, in an opinion, declared the obligation of the State to pay the sum but indicated the Auditor could not pay due to absence of an appropriation. However, the obligation is one due to the University and the interest should be paid. The reasons for refusal to pay are not valid. The question before the Board is, what action should be taken? There is further danger that failure to pay the interest as provided in the contract with the United States Government will result in demand for the return of the full amount of the original grant.

In closing this report, I have pleasure in calling attention to three gratifying incidents. The first was the receipt by Dr. J.S. McHargue of the highest award in the American Society of Agronomy for research work he has done in connection with the importance of the rarer elements in animal and plant life, an outstanding achievement in the field of chemistry.

The second incident was the success of the University sheep and cattle entered in the International Live Stock Show. The awards include:

<u>Steers</u>	<u>Prize</u>
Aberdeen Angus, weighing between 750 and 875 lbs.	3d, 6th
Aberdeen Angus, weighing between 875 and 1000 lbs.	14th
Aberdeen Angus, group of three	13th

<u>Sheep</u>	
Crossbred wether lambs	1st, Champion, Reserve Grand Champion
Crossbred yearling wethers	3d, 4th
Southdown wether lambs	5th
Southdown wether lambs, pen	5th
Southdown yearling	1st, Reserve Grand Cham- pion
Cheviot yearling wethers	2d, 3d, 4th
Cheviot lamb wethers	1st, 3d
Cheviot wether lambs, pen	1st, 2d
Cheviot, ewe lamb	1st, Reserve Grand Cham- pion
Cheviot, including wether lambs and yearling wether classes	Reserve Champion
Carcass wether lamb contest	5th
Carcass of Southdown wether lamb	1st.

The Agricultural College team took third place in the stock judging contest with every agricultural college in the United States entered in the contest.

It is a matter of gratification that a senior in the College of Arts and Sciences received one of the Rhodes scholarships granted in this region of six states. The recipient is Elvis Stahr, of Hickman, Kentucky.

3. Financial Reports.

Financial reports for October and November were presented to the Board by President McVey. The reports being cumulative, the November report was ordered inserted in the Minutes:

Statement of Income and Expenditures Month of November 1935

	<u>Previously Reported</u>	<u>Current Month</u>	<u>Fiscal Year To Date</u>
General Fund Income			
Federal Appropriation	7,125.00	7,125.00	14,250.00
Vocational Ed. Board	6,281.30	2,291.07	8,572.37
Int. on Peabody Endow.	1,000.00		1,000.00
State Appro. - Back Salaries	71,100.00		71,100.00

State Appro. - Sum. Sch.	9,000.00		9,000.00
Special Agr. Appro.	8,256.30	3,574.76	11,831.06
State Appro. - Repairs to Bldgs.	990.10	238.37	1,228.47
State Appropriation - Gen.	210,795.11	66,806.42	277,601.53
Student Fees	106,354.81	5,411.79	111,766.60
Student Fees - Sum. Sch.	59,019.02	45.50	59,064.52
Student Fees - U.H.S.	4,933.50	390.00	5,323.50
Student Fees - El. Tr. Sch.	3,920.00	240.00	4,160.00
Student Fees - Univ. Exten.	6,039.97	2,195.61	8,235.58
Miscellaneous Receipts	7,417.70	841.91	8,259.61
Rentals	831.30	290.00	1,121.30
Men's Dormitories	8,022.45	530.70	8,553.15
Total	<u>511,086.56</u>	<u>89,981.13</u>	<u>601,067.69</u>
Expenditures			
Instruction	234,293.01	71,812.68	306,105.69
Adm., Expense and Maint.	83,376.85	20,444.94	103,821.79
Additions and Betterments	5,876.70	2,059.28	7,935.98
Total	<u>323,546.56</u>	<u>94,316.90</u>	<u>417,863.46</u>
Excess of Income over Ex- penditures	<u>187,540.00</u>	<u>(4,335.77)</u>	<u>183,204.23</u>
Patterson Hall Income			
Board	13,518.65	12,467.41	25,986.06
Misc. Receipts	175.81	30.80	206.61
Room Rent - Summer Sch.	2,089.00		2,089.00
Total	<u>15,783.46</u>	<u>12,498.21</u>	<u>28,281.67</u>
Expenditures			
Expense	8,087.79	5,443.10	13,530.89
Additions and Betterments	129.50		129.50
Total	<u>8,217.29</u>	<u>5,443.10</u>	<u>13,660.39</u>
Excess of Income over Ex- penditures	<u>7,566.17</u>	<u>7,055.11</u>	<u>14,621.28</u>
General Fund Income	526,870.02	102,479.34	629,349.36
General Fund Expend.	<u>331,763.85</u>	<u>99,760.00</u>	<u>431,523.85</u>
Excess of General Fund Income over Expend.	195,106.17	2,719.34	197,825.51
Accounts Payable - liqui.	(71,191.63)		(71,191.63)
Excess of Expenditures over Receipts for General Ledger Accounts	<u>(78,867.86)</u>	<u>1,558.76</u>	<u>(77,309.10)</u>
Excess of Redeipts over Expend. for the fiscal year to date - General Fund	<u>45,046.68</u>	<u>4,278.10</u>	<u>49,324.78</u>

Excess of Receipts over Expenditures for the fiscal year to date - General Fund	49,324.78
Cash in Bank July 1, 1935 - General Fund	<u>5,837.75</u>
Cash in Bank November 30, 1935 - General Fund	<u><u>55,162.53</u></u>

Experiment Station Income

Hatch - Federal Appro.	7,500.00		7,500.00
Milk and Butter - Cash Rec.	2,948.77	990.30	3,939.07
Beef Cattle Sales	95.67	1,254.67	1,350.34
Dairy Cattle Sales	275.00	118.86	393.86
Sheep Sales	222.58		222.58
Swine Sales	835.43	20.00	855.43
Poultry Sales	971.99	141.78	1,113.77
Farm Produce Sales	696.87	2.00	698.87
Horticultural Sales	262.55	107.35	369.90
Seed Test	267.75	61.35	329.10
Seed Inspection	6,021.20	305.22	6,326.42
Rentals	2,578.67	169.67	2,748.34
Miscellaneous	291.07	31.28	322.35
Fertilizer - Fees	11,036.46	20.00	11,056.46
Public Service - St. Ap.	7,553.73	1,962.54	9,516.27
Public Service - Misc.	10.00		10.00
Feeding Stuffs - Fees	16,218.96	3,888.35	20,107.31
Adams - Federal Appro.	7,500.00		7,500.00
Serum - Sales	802.87	161.60	964.47
Serum - Virus Sales	71.00	12.50	83.50
Serum - Live Stock Sales	117.45		117.45
Serum - Supply Sales	60.10	21.75	81.85
Serum - Misc. Receipts	2.25		2.25
State Appro.	21,291.41	3,708.59	25,000.00
Creamery - License Fees	8,199.00	36.00	8,235.00
Creamery - Testers' Lic.	2,650.95	90.00	2,720.95
Creamery - Glassware Tested	381.38	7.25	388.61
Robinson - State Appro.	3,785.26	1,378.91	5,164.17
Robinson - Misc. Receipts	941.37	250.36	1,191.73
West Ky. - State Appro.	6,112.44	494.68	6,607.12
West Ky. - Misc. Receipts	5,491.05	360.38	5,851.43
Purnell - Federal Appro.	30,000.00		30,000.00
Bankhead-Jones - Fed. Ap.	9,669.91		9,669.91
Nursery Inspection - St. Ap.	1,114.24		1,114.24
Nursery Inspection - Fees	835.00	190.00	1,025.00
Total	<u>156,792.38</u>	<u>15,785.37</u>	<u>172,577.75</u>

Expenditures

Expense	100,001.15	27,887.91	127,889.06
Additions & Betterments	<u>1,689.96</u>	<u>93.91</u>	<u>1,783.87</u>
Total	<u>101,691.11</u>	<u>27,981.82</u>	<u>129,672.93</u>
Excess of Income over Expenditures	55,101.27	(12,196.45)	42,904.82
Petty Cash Fund	200.00	(200.00)	
Accounts Payable - liqui.	(3,150.32)		(3,150.32)
Excess of Receipts over Expenditures for General Ledger accounts	<u>13,384.35</u>	<u>(654.78)</u>	<u>12,729.57</u>

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Excess of Receipts over Expenditures	<u>65,535.30</u>	<u>(13,051.25)</u>	<u>52,484.07</u>
Excess of Receipts over Expend. for the fiscal year to date - Experiment Station			52,484.07
Cash in Bank July 1, 1935 - Experiment Station			<u>(23,296.47)</u>
Cash in Bank November 30, 1935 - Experiment Station			<u>29,187.60</u>
Extension Division Income			
Federal Bankhead-Jones	144,925.05		144,925.05
Federal Smith-Lever	74,154.38		74,154.38
Federal Add. Co-op.	15,500.00		15,500.00
Federal Supplementary	26,545.52		26,545.52
Federal Capper-Ketcham	18,400.49		18,400.49
State Smith-Lever	63,000.00		63,000.00
County and Other	8,567.59	167.99	8,735.58
Total	<u>351,093.03</u>	<u>167.99</u>	<u>351,261.02</u>
Expenditures			
Expense	<u>149,490.60</u>	<u>52,103.81</u>	<u>201,594.41</u>
Excess of Income over Expenditures	<u>201,602.43</u>	<u>(51,935.82)</u>	<u>149,666.61</u>
Excess of Income over Expenditures for the fiscal year to date - Extension Division			149,666.61
Cash in Bank July 1, 1935 - Extension Division			<u>303.82</u>
Cash in Bank November 30, 1935 - Extension Division			<u>149,970.43</u>
Trust Fund Income			
Student Loan Fund	1,416.10	1,369.71	2,785.81
Student Notes Paid	1,203.10	355.52	1,558.62
Total Receipts	<u>2,619.20</u>	<u>1,725.23</u>	<u>4,344.43</u>
Expenditures			
Expense	15.00		15.00
Student Notes		50.00	50.00
Total Expenditures	<u>15.00</u>	<u>50.00</u>	<u>65.00</u>
Excess of Receipts over Expenditures	<u>2,604.20</u>	<u>1,675.23</u>	<u>4,279.43</u>

Excess of Receipts over Expend. for the fiscal year to date - Trust Fund	4,279.43
Cash in Bank July 1, 1935 - Trust Fund	<u>1,128.84</u>
Cash in Bank November 30, 1935 - Trust Fund	<u><u>5,408.27</u></u>

Summary

General Fund Income	526,870.02	102,479.34	629,349.36
Experiment Station Inc.	156,792.38	15,785.37	172,577.75
Extension Div. Income	351,093.03	167.99	351,261.02
Trust Fund Income	1,416.10	1,369.71	2,785.81
Total	<u>1,036,171.53</u>	<u>119,802.41</u>	<u>1,155,973.94</u>
General Fund Expend.	331,763.85	99,760.00	431,523.85
Experiment Sta. Expend.	101,691.11	27,981.82	129,672.93
Extension Div. Expend.	149,490.60	52,103.81	201,594.41
Trust Fund Expend.	15.00		15.00
Total	<u>582,960.56</u>	<u>179,845.63</u>	<u>762,806.19</u>
Excess of Income over Ex- penditures	453,210.97	(60,043.22)	393,167.75
Accounts Payable - liqui. (74,341.95)			(74,341.95)
Excess of Expenditures over Receipts for General Ledger account	(65,483.51)	903.98	(64,579.53)
Student Loan Fund Notes	1,203.10	305.52	1,508.62
Petty Cash Account	<u>200.00</u>		<u>200.00</u>
Excess of Receipts over Expend. for the fiscal year to date - Combined Fund	<u>314,788.61</u>	<u>(58,833.72)</u>	<u>255,954.89</u>
Excess of Receipts over Ex- penditures for the fiscal year to date - Combined Fund			255,954.89
Cash in Bank and on hand July 1, 1935 - Combined Fund			<u>(14,026.06)</u>
Cash in Bank and on hand November 30, 1935 - Combined Fund			<u><u>241,928.83</u></u>

Abstract of item shown on Statement of Income and Expenditures as "Excess of Expenditures over Receipts for General Ledger accounts \$64,579.53"

	<u>Debit</u>	<u>Credit</u>
Accounts Receivable	48,692.61	
Insurance Paid in Advance	45.60	
Sundry Accounts	<u>15,841.32</u>	
	64,579.53	

4. Requisition Committee Report.

The Requisition Committee filed written report of its action each week from October 31, 1935, to December 12, 1935, inclusive. The report showed that orders had been made by the Business Office on the authority of the Requisition Committee in the manner prescribed by the Board of Trustees and state laws, running from No. 2645 to No. 3640. The Report was examined, and on motion of Mr. Park, seconded by Doctor Wilson, the orders named therein were ratified and approved and payments on said orders were authorized and approved.

5. Legislative Matters and Requests.

At the meeting of the Executive Committee, October 31, 1935, President McVey presented the biennial report to the State Budget Commission, together with a statement of requirements of the University of Kentucky for the biennium beginning July 1, 1936. The statement appears in full on page 7, Minutes of the meeting referred to above. Reference is here made to the President's report at this meeting.

6. Interest on Bonds.

President McVey referred to the efforts heretofore made to collect interest on land grant bonds due by the State of Kentucky. For the last steps taken see Minutes of meeting of October 31, 1935, Item 7. He was directed to present the case to Attorney General B. M. Vincent, who will take office in January, and to follow this up by presentations of the case to other proper state officials.

7. Bankhead-Jones Fund -- Distribution.

The Business Agent reported that he had sent the check for \$20,000.00, referred to in Item 9, Minutes of October 31, 1935, to J. Dan Talbott, Auditor of Public Accounts, and that the University had received credit for \$17,100.00. The following letters were reported:

a. Letter from the State Auditor.

November 27, 1935

Mr. D. H. Peak
University of Kentucky
Lexington, Kentucky

Dear Sir:

We received your letter of November 26 enclosing check of the Federal Government for \$20,000.00.

It is the opinion of this office and also R. B. Atwood, President Kentucky State Industrial College that this check should be prorated as the Morrill-Nelson fund, \$17,100.00 going to the University of Kentucky and \$2,900.00 to the Kentucky State Industrial College.

We are retaining the check in this office and you should forward pay-in-voucher for the amount specified to be paid into the University of Kentucky Federal Account.

(Signed) J. Dan Talbott
Auditor

Ben M.

b. Letter from the Department of Education.

December 13, 1935

Mr. D. H. Peak
Business Agent, University of Kentucky
Lexington, Kentucky

My dear Mr. Peak:

Replying to your letter of November 5:

On November 23, I mailed you information concerning the Bankhead-Jones act with a notation that "In Kentucky the Morrill-Nelson fund is divided on a basis of the 'ratio' which the school census of colored children taken in the State bears to the school census of both races." Since 1893, the ratio has been 14.5 per cent negro to 85.5 per cent white. This is the basis for division of the Bankhead-Jones funds also unless the ratio has been changed this year.

Trusting that this answers your question, I
am

Sincerely yours,

(Signed) Walter J. Greenleaf
Specialist in Higher Education.

8. Audit - Bill Approved.

President McVey presented the bill of Peat, Marwick, Mitchell and Company, dated November 20, 1935; for \$600.00 for making audit of 1934-35 of Business Office Accounts. On motion of Mr. Park, seconded by Mr. Rash, the bill was approved and the Business Agent was directed to certify it to the Auditor of Public Accounts for payment.

The question of increasing the charge to \$750.00 for future audits raised in the letter from the firm mentioned was passed. The letter was ordered filed away for presentation to the Board or the Executive Committee when the question of audit of the present year's accounts is brought before it.

9. Changes in Service Building - Allowance.

President McVey stated that the Superintendent of Buildings and Grounds had reported to him the necessity of removal of store-room and shop of the electrician to another part of the Service Building, necessity arising on account of making way for heating plant. An appropriation of \$800.00 was made for this purpose, and a W.P.A. project for the additional expense was authorized and approved.

10. Charge for Paper.

The Business Agent reported that the State Board of Finance had made an order effective December 1, 1935, to charge for paper used in printing for remainder of this fiscal year. The Business Agent estimates that such charges to College and Experiment Station will amount to over \$3,000.00. Following is copy of notice received;

December 11, 1935

University of Kentucky
Lexington, Kentucky

Gentlemen:

At a meeting of the Board of Finance and Budgetary Control, held recently, the following motion was adopted:

'That \$8000.00 be borrowed from the General Fund to take care of paper purchases, the cost of said paper purchases to be charged to each department; this order of the Board to be made effective as of December 1, 1935.'

The above transaction was made necessary due to the fact that the Paper Budget is exhausted, and all printing and paper will have to be paid for by the department requisitioning same.

Very sincerely yours,

(Signed) Sam. S. English
Executive Secretary

11. Louis Wiley Fund -- Receipt and Investment.

a. Letter from Judge Stoll.

November 7, 1935

Mr. D. H. Peak
University of Kentucky
Lexington, Kentucky

RE: ESTATE OF LOUIS WILEY, DECEASED

Dear Senator:

Jenks and Rogers, counsel for the executors of the estate of Louis Wiley sent us the enclosed receipt-release and say that as soon as this instrument is returned, properly executed, a check in the amount of the legacy will be forwarded.

I am enclosing that release, which requires the corporate seal of the University to be affixed. I would appreciate it very much if you would affix the seal of the University to this release and I will forward it to New York.

Yours truly,

(Signed) Richard C. Stoll

b. Form of Receipt-Release.

TO WHOMSOEVER THESE PRESENTS MAY COME OR CONCERN, GREETING:

KNOW YE that UNIVERSITY OF KENTUCKY of Lexington, Kentucky, has this day received from CARRIE WILEY and BELLE WILEY of New York City, as Executors under the last Will and Testament of Louis Wiley, deceased, dated the 2nd day of March, 1935, the sum of One Thousand Dollars (\$1000) bequeathed unto it by paragraph "Fourth" of said last Will and Testament, by check signed by said Executors and payable to the order of University of Kentucky, and that in consideration thereof said University of Kentucky has remised, released and forever discharged and does by these presents for itself, its successors

and assigns remise, release and forever discharge said Carrie Wiley and Belle Wiley as Executors under the last Will and Testament of said Louis Wiley, deceased, dated as aforesaid, their representatives, assigns and successors in interest, of and from all and any cause of action, claim or demand whatsoever in law or in equity, which against said Carrie Wiley and Belle Wiley as Executors under the last Will and Testament of said Louis Wiley, deceased, dated as aforesaid, it ever has, now has, or which its successors and assigns, or any of them, hereafter can, shall or may have upon or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of these presents.

IN WITNESS WHEREOF said UNIVERSITY OF KENTUCKY has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer this day of _____ in the year One Thousand Nine Hundred and Thirty-five.

UNIVERSITY OF KENTUCKY

BY _____

(Corporate Seal)

STATE OF KENTUCKY) ss.:
COUNTY OF _____)

On this _____ day of _____, 1935, before me came _____ to me known, who being by me duly sworn, did depose and say that he resides in _____; that he is the _____ of UNIVERSITY OF KENTUCKY, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.

c. Receipt of Fund.

November 18, 1935

Mr. D. H. Peak, Business Agent
University of Kentucky
Lexington, Kentucky

Dear Sir:

RE: LOUIS WILEY ESTATE.

Enclosed herewith you will find check for \$1,000.00, payable to the University of Kentucky under the will of Louis Wiley, deceased. The form of this bequest is,

"University of Kentucky, Lexington, Kentucky, for the Loan Fund for Needy Students One Thousand (\$1,000) Dollars."

This money can only be used for this purpose.

I think it would be well for the University to adopt a resolution of some kind at the proper time relative to this bequest.

Yours truly,

(Signed) Richard C. Stoll.

d. Investment.

The Business Agent reported that the fund was received and on December 4, 1935, was placed in savings account in First National Bank and Trust Company, Lexington, Kentucky. This was done for the same reason set out in Item 13 relative to Student Loan Fund. The action of the Business Agent was approved.

On motion of Mr. Whitfield, seconded by Mr. Wells, the action of Judge R. C. Stoll in accepting the bequest was approved and President McVey was asked to acknowledge in the proper way the receipt of the gift.

12. Student Loan Fund.

President McVey presented the following statement of Dean Jones;

December 5, 1935

President Frank L. McVey
University of Kentucky

Dear President McVey:

I am giving you an up-to-date statement on the Student Loan Fund

Patterson fund	--	\$5,000	(invested in state warrants).
Wiley fund	-----	1,000	(deposited in savings account).
Our collections	--	4,131.24	(invested in state warrants).
Our collections	--	4,000	(deposited in savings account).
Our collections	--	5,000	(deposited in Water Company bonds).
Our collections	--	729.54	(cash uninvested).

By using every form of persuasion and pressure short of a suit, and by writing almost countless letters, we have collected \$13,860.78 in two years. We have found that when our letters ceased, in busy times, the payments stopped.

There are scores of debtors who have no interest in paying. They make no response to our letters, though many of these have good positions. I think it would help a great deal if the Board of Trustees would pass a resolution authorizing us to employ an attorney to assist in collecting these debts. We would then send out a letter to all debtors telling them what will happen if they do not make satisfactory response.

(Signed) T. T. Jones
Dean of Men

The question of employment of an attorney to collect the old notes due the fund was discussed at length. It was suggested that Dean Jones consult the Attorney-General in regard to assistance from his office. It was further proposed that a letter to the delinquent signed by Attorney-General may be a good plan of campaign to collect. Governor Chandler stated that he will cooperate with Dean Jones in securing assistance of the State's legal department.

13. Student Loan Fund Investment.

Not being able to invest Student Loan Fund on hand in current State Warrants as authorized by Item 14, Minutes of October 31, 1935, at less than 1.03-3/4, \$4,000.00 was put on savings account in First National Bank and Trust Company of Lexington, Kentucky, on December 4, 1935, pending investment more favorable than such deposit. This was done after consultation with President McVey, Dean Jones, Judge R. C. Stoll and Messrs. Courtney, Nichols and McFarland of the First National Bank and Trust Company.

(Signed) D. H. Peak
Business Agent

On advice of the Chairman of the Board, the action of the Business Agent was approved, the fund to remain so deposited pending further action of the Board or Executive Committee.

14. Landscape Planning.

President McVey presented a letter from Mr. Bryant Fleming (Landscape architect) of Wyoming, New York, that he had received following the suggestion made at the Executive Committee meeting of October 31, 1935, that he get from Mr. Fleming facts regarding the landscaping of the campus and the probable cost. The letter from Mr. Fleming discusses the subject in some detail, and proposes to make the general analysis for \$650.00 (which he says is "without profit to me"). It is then suggested that further procedure may be on the per diem plan or in some other manner to be determined later.

President McVey was directed to employ Mr. Fleming, the payment plan to be agreed upon as seems to the best interest of the University. If possible, the per diem charges may be taken care of by W. P. A.

15. Hoflick vs. University of Kentucky.

The Business Agent reported that he sent the summons to Attorney-General Wootton as directed by the Executive Committee (Item 15, Minutes of October 31, 1935); that he received a letter from the Assistant Attorney-General in which it is stated that, inasmuch as the University has a regularly employed attorney, perhaps the attorney should look after the Hoflick suit. The Business Agent stated that he took all the correspondence to Judge R. C. Stoll and that Judge Stoll said that he would look after the case.

Mr. James Park then stated that the Attorney General had authorized Judge Stoll to file the necessary pleadings in the case, that such has been done, and that the court has not yet acted thereon.

16. Council on Higher Education.

President McVey reported that he wrote Superintendent of Public Instruction, James H. Richmond, as directed by the Executive Committee (Item 6, Minutes of October 31, 1935), submitting copies of his letter to members of the Executive Committee. He further stated that Superintendent Richmond called a meeting of the Council at Louisville on December 6, for the purpose of considering budgets, but that the meeting was called off because of illness of Mr. Richmond. It was the consensus of opinion of the members of the Board that no further steps need be taken by President McVey.

17. W. P. A. Projects -- Repair of Roads and Work on Grounds.

The question of proceeding with certain W. P. A. projects on roads and grounds was discussed. On motion of Mr. Gordon, seconded by Mr. Holland, President McVey was authorized to accept the projects and let the work go forward to the point of expenditure from University funds; and that in event of necessity of expenditures from University funds that the question be then referred to Board of Trustees or Executive Committee.

18. Clock on Athletic Field.

Judge Richard C. Stoll by letter presented the following report of Mr. Muir:

December 3, 1935

Judge Richard C. Stoll
Chairman, Board of Trustees
Lexington, Kentucky

Dear Judge:

I have a letter from Wilson W. Wyatt, Attorney for the Courier-Journal and Louisville Times, advising that just as soon as the Western Union signs the contract with the Louisville Times he will send to me a signed copy of the Western Union contract, and a signed copy of the contract between the Louisville Times and the Athletic Council concerning the erection of the clock on the athletic field at the University.

Upon receipt of these contracts I will deliver them to you.

Very truly yours,

(Signed) Wallace Muir

19. R. C. Miller Suit.

The Business Agent reported that he filed an answer in the Fayette Quarterly Court in the case of Lawrence Shropshire vs R. C. Miller as directed by the Executive Committee at its meeting of October 31, 1935; that he held R. C. Miller's October salary check subject to the orders of the court; that on November 20, 1935, he was notified by the clerk of the court that the case had been dismissed; that thereupon he released the check to Mr. Miller.

The order of the Court is in words and figures as follows:

FAYETTE QUARTERLY COURT

November 20th, 1935

LAWRENCE SHROPSHIRE

PLAINTIFF

O R D E R

VS:

No. 186

RICHARD MILLER

DEFENDANT

On motion of Plaintiff, the costs having been paid, it is ordered by the Court that this cause be, and the same is hereby dismissed, settled.

It is further ordered that the levy of the attachment herein on D. H. Peak, Treasurer of the University of Kentucky, be, and the same is hereby discharged and the said D. H. Peak is ordered and directed to pay said money to the defendant, Richard Miller.

(Signed) Wm. E. Nichols
Judge

TO BE ENTERED:

ATTORNEY FOR PLAINTIFF

(Signed) Neil G. Sullivan
ATTORNEY FOR DEFENDANT

A Copy
Attest: J. R. Ledford, Clerk
Fayette Quarterly Court.

20. Camp Site at Noble, Kentucky.

The Business Agent reported that on November 22, 1935, he received from Thomas B. Caldwell, Lieutenant, an approved copy of the lease for Camp Site on Robinson Experiment Station Farm. The lease is for one year beginning July 1, 1935. See Minutes of July 18, 1935.

21. Prizes.

a. Ryland Prize.

The President reported the following offer by Dr. L. H. Ryland:

November 14th, 1935

President Frank McVey
University of Kentucky

Dear President McVey:

In order to stimulate a creative interest in French I wish to establish an annual prize of \$25.00 in cash or in books, as you think best, for the best paper written by an undergraduate student during each academic year.

The paper is to be written in French and the subject matter is to be limited to Literary Criticism.

If this meets with your approval I shall post the requirements in a conspicuous place in order that students may prepare their papers for this year.

Sincerely yours,

(Signed) L. H. Ryland

By unanimous vote the prize was accepted.

b. Wilson Prize.

The President presented a check covering the Judge Samuel M. Wilson Library Prize. The offer of this prize was accepted by the Board of Trustees at the May, 1935, meeting.

22. Egalite-Wilson Company Claim.

On November 6, 1935, Mr. Wallace Muir wrote that his firm represents the receiver of the Egalite-Wilson Company. He requested information as to claim of \$492.00 against the University of Kentucky. This claim was ordered filed away by the Board of Trustees in 1934, the members being of the opinion that the University is not liable thereon. I sent Mr. Muir a copy of my report to the Board dated September 20, 1934. There has been no further communication from him.

(Signed) D. H. Peak
Business Agent.

23. Election of Candidates for Alumni Trustee.

At the September, 1935, meeting of the Board of Trustees the Secretary of the Board was directed to proceed with the formality of sending out and receiving ballots for the election of three members of the alumni as candidates for appointment as alumni trustee to succeed Mr. Louis Hillenmeyer, whose term of office expires December 31, 1935.

Notice of the election and ballots accompanying same were duly mailed and, up to the date of this meeting, at which under the law the ballots must be counted, 1027 ballots were received. In a room adjoining the room in which the meeting was held, a committee consisting of Mr. L. H. McCain, representing the Secretary of the Board; R. K. Salyers and Miss Helen King, representing the Alumni Association, opened and counted the ballots and certified to the Board of Trustees that the three receiving the highest number of votes were Louis Hillenmeyer, Arthur Bryson and Mrs. Thomas Underwood. Thereupon, on motion and second which carried, the Secretary of the Board was ordered to certify to Governor A. B. Chandler the names of Louis Hillenmeyer, Arthur Bryson, and Mrs. Thomas Underwood, of whom the Governor, under the law, is to select a successor to Mr. Louis Hillenmeyer. For full detail of the election and count, see appendix.

24. Appointments and Other Staff Changes.

Appointments:

Dr. H. H. Thornberry, assistant plant pathologist in the Department of Agronomy, effective January 1, 1935, at a salary of \$3200.00 a year, to be paid from Bankhead-Jones funds.

Leaves of Absence

Mrs. Alberta Server, department of Romance Languages, on recommendation of Dean Boyd, sabbatical leave on half pay for the year 1936-37. She expects to work toward the doctorate at Besancon, France, where she has been granted the David C. Cahun Fellowship.

Professor R. D. Haun, professor of Accounting, College of Commerce, sabbatical leave for 1936-37, on half pay.

Felix Dickerson, electrician, granted leave on recommendation of M. J. Crutcher, Superintendent of Buildings and Grounds, for a period of one to three months on full pay. Mr. Crutcher's statement is as follows:

November 6, 1935

President F. L. McVey
University of Kentucky

Re: Mr. Felix Dickerson,
Leave of Absence.

My dear President:

Doctor Pinney has examined Felix and says he must go to Julius Marks Sanatorium for a period to clear up a spot on his lungs. I am therefore asking that he be given a leave of absence with full pay over the period of one to three months.

He has been with the University since 1919 and so far as I know has never lost any time due to protracted illness.

(Signed) M. J. Crutcher
Superintendent.

On motion and second, the meeting adjourned.

D. H. Peak
Secretary of the Board of
Trustees